

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

JAMES N. STRAWSER, <i>et al.</i> ,	)	
Plaintiffs,	)	
v.	)	
LUTHER STRANGE, in his official	)	
capacity as Attorney General for the	)	Civil Action No. 14-0424-CG-C
State of Alabama, <i>et al.</i> ,	)	
Defendants.	)	
	)	
	)	

PLAINTIFFS’ MOTION FOR PERMANENT INJUNCTION AND FINAL JUDGMENT

Plaintiffs move this Court to make the preliminary injunction, Doc. 123, permanent and enter a final judgment in Plaintiffs’ favor. In support of this motion, Plaintiffs state the following:

On June 26, the Supreme Court issued its decision in *Obergefell v. Hodges*, 576 U.S. \_\_\_\_ (2015),<sup>1</sup> with the majority holding that:

[T]he right to marry is a fundamental right inherent in the liberty of the person, and under the Due Process and Equal Protection Clauses of the Fourteenth Amendment couples of the same-sex may not be deprived of that right and that liberty. The Court now holds that same-sex couples may exercise the fundamental right to marry. No longer may this liberty be denied to them. ... [T]he State laws challenged by Petitioners in these cases are now held invalid to the extent they exclude same-sex couples from civil marriage on the same terms and conditions as opposite-sex couples.

\* \* \*

The Court, in this decision, holds same-sex couples may exercise the fundamental right to marry in all States. It follows that the Court also

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<sup>1</sup> Slip opinion available at [http://www.supremecourt.gov/opinions/14pdf/14-556\\_3204.pdf](http://www.supremecourt.gov/opinions/14pdf/14-556_3204.pdf) (last visited June 29, 2015).

must hold – and it now does hold – that there is no lawful basis for a State to refuse to recognize a lawful same-sex marriage performed in another State on the ground of its same-sex character.

Slip op. at 22-23, 28.

Because the Supreme Court's decision unequivocally upholds this Court's findings in its preliminary injunction order, Plaintiffs are entitled to judgment as a matter of law. The preliminary injunction should now be made permanent and final judgment entered in Plaintiffs' favor.

Respectfully Submitted,

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## CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system on June 29, 2015. I certify that service will be accomplished by the CM/ECF system to the following parties:

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